



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of  
**BRENDEL, et al.**

Examiner: To Be Assigned

Art Unit: 1614

Application No.: **10/796,894**

Filed: **March 9, 2004**

Title: **COMBINATION OF PHENYLCARBOXAMIDES  
WITH BLOCKERS OF THE IK<sub>A</sub> CHANNEL AND  
THEIR USE FOR THE TREATMENT OF ATRIAL  
ARRHYTHMIAS**

**CERTIFICATE OF TRANSMISSION**  
I hereby certify that this correspondence is being transmitted  
via facsimile to the Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450, at 703-746-4060, on

November 1, 2004

Date of Deposit

Paul Irvine  
Signature

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NON-PROVISIONAL APPLICATION  
UNDER 37 C.F.R. 1.53(f)**

Mail Stop Missing Parts  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

In response to the "NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION" which was mailed on June 1, 2004 and which indicated that the oath or declaration was missing, Applicants submit herewith the Declaration for the present application and a copy of Form PTO-1533.

A Power of Attorney by one authorized Signatory of Aventis Pharma Deutschland GmbH, Assignee of full rights and title to the above-identified application, is also enclosed.

Please charge the \$130.00 fee involved to Deposit Account No. 18-1982. The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment to Account No. 18-1982.

Respectfully submitted,

Jiang Lin, Reg. No. 51,065  
Attorney for Applicant

Aventis Pharmaceuticals Inc.  
Patent Department  
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Docket No. DEAV2003/0023 US NP

NOV. 1. 2004 12:56PM AVENTIS US PAT DEPT  
TO: US MISSING PARTS

NO. 9294 P. 1

PTO/SB/21 (09-04)

## TRANSMITTAL FORM

*(to be used for all correspondence after initial filing)*

**Total Number of Pages in This Submission**

|                        |                       |
|------------------------|-----------------------|
| Application Number     | 10/798,894            |
| Filing Date            | March 09, 2004        |
| First Named Inventor   | Joachim BRENDL et al. |
| Art Unit               | 1614                  |
| Examiner Name          |                       |
| Attorney Docket Number | DEAV2003/0023 US NP   |

**ENCLOSURES** *(Check all that apply)*

|  |   |   |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form  | <input type="checkbox"/> Drawing(s)                                       | <input type="checkbox"/> After Allowance Communication to TC                            |
| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Licensing-related Papers                         | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences     |
| <input type="checkbox"/> Amendment/Reply   | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declaration(s)                                   | <input type="checkbox"/> Power of Attorney, Revocation                    | <input type="checkbox"/> Status Letter  |
| <input checked="" type="checkbox"/> Extension of Time Request                        | <input type="checkbox"/> Change of Correspondence Address                 | <input type="checkbox"/> Other Enclosure(s) (please identify below):                    |
| <input type="checkbox"/> Express Abandonment Request                                 | <input type="checkbox"/> Terminal Disclaimer                              | <input type="checkbox"/> 1. Declaration   |
| <input type="checkbox"/> Information Disclosure Statement                            | <input type="checkbox"/> Request for Refund                               | <input type="checkbox"/> 2. Copy of Notice to File Missing Parts                        |
| <input type="checkbox"/> Certified Copy of Priority Document(s)                      | <input type="checkbox"/> CD, Number of CD(s) _____                        |   |
| <input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application   | <input type="checkbox"/> Landscape Table on CD                            |   |
| <input checked="" type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Remarks  |   |

RECENT

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|              |   |          |        |
|--------------|---|----------|--------|
| Firm Name    | AVENTIS PHARMACEUTICALS INC.  |          |        |
| Signature    |  |          |        |
| Printed name | Jiang Lin   |          |        |
| Date         | November 01, 2004   | Reg. No. | 51,065 |

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. (USPTO FAX NO. 703-748-4060 ; Total No. of Pages Transmitted: 8 )

|                       |   |      |                   |
|-----------------------|---|------|-------------------|
| Signature             |  |      |                   |
| Typed or printed name | Paul Irvine   | Date | November 01, 2004 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/796,894         | 03/09/2004             | Joachim Brendel       | DEAV2003/09231USNP     |

CONFIRMATION NO. 2872

FORMALITIES LETTER  
\*OC000000012824457\*  
\*OC000000012824457\*

05487  
ROSS J. OEHLER  
AVENTIS PHARMACEUTICALS INC.  
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MAIL CODE: D303A  
BRIDGEWATER, NJ 08807

Date Mailed: 06/01/2004

NOV 01 2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
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P.O. Box 1450  
Alexandria VA 22313-1450

11/02/2004 LWONDIM1 00000068 181982 10796894

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*A copy of this notice **MUST** be returned with the reply.*

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Page 2 of 2

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